



PUBLIC NOTICE

Federal Communications Commission
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**SECTION 63.63 APPLICATION OF AT&T CORP., PACIFIC BELL TELEPHONE COMPANY,
SBC LONG DISTANCE, LLC AND TELEPORT COMMUNICATIONS AMERICA, LLC
FOR AUTHORITY PURSUANT TO SECTION 214
OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED,
TO DISCONTINUE THE PROVISION OF SERVICE IS NOT DEEMED GRANTED**

WC Docket No. 21-468
Comp. Pol. File No. 1739

On November 22, 2021, AT&T Services, Inc., on behalf of its affiliates, AT&T Corp., Pacific Bell Telephone Company d/b/a AT&T California, SBC Long Distance, LLC d/b/a AT&T Long Distance and Teleport Communications America, LLC (collectively, AT&T), filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.63 of the Commission's rules, 47 CFR § 63.63, for the suspension of AT&T interstate telecommunications services impacted by wild fires that damaged AT&T facilities and caused service disruptions starting on August 19, 2021 in El Dorado, Alpine, Placer and Amador counties in Northern California.¹ AT&T also requests a waiver of the Commission's rule that requires an emergency discontinuance application to be filed no later than 65 days after the occurrence of the conditions which caused the discontinuance.² AT&T's emergency discontinuance application should have been filed no later than October 22, 2021, within 65 days after the occurrence of the conditions that caused the August 19, 2021 outage. Instead, AT&T filed its emergency discontinuance application and accompanying waiver request on November 22, 2021, with no explanation for why it was late-filed and no basis for considering its waiver request.³

Pursuant to section 63.63(b), authority for the emergency discontinuance, reduction, or impairment of service shall be deemed to be granted for a period of 60 days by the Commission effective as of the date of the filing of the request, unless, "on or before the 15th day after the date of filing, the Commission shall notify the carrier to the contrary."⁴ Wireline Competition Bureau (Bureau) staff

¹ See Section 63.63 Application of AT&T Corp., Pacific Bell Telephone Company d/b/a AT&T California, SBC Long Distance, LLC d/b/a AT&T Long Distance and Teleport Communications America, LLC for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Discontinue the Provision of Service, WC Docket No. 21-468 (filed November 22, 2021) (Application).
[https://www.fcc.gov/ecfs/search/filings?q=\(\(proceedings.name:\(\(21%5C-468*\)\)%20OR%20proceedings.description:\(\(21%5C-468*\)\)\)\)&sort=date_disseminated_DESC](https://www.fcc.gov/ecfs/search/filings?q=((proceedings.name:((21%5C-468*))%20OR%20proceedings.description:((21%5C-468*))))&sort=date_disseminated_DESC). References herein shall apply generally to the emergency discontinuance, reduction, or impairment of service under the rule.

² See Application at 4. See also 47 CFR § 63.63(a).

³ See Application at 4.

⁴ 47 CFR § 63.63(b). The information required by the Commission's emergency discontinuance rule is critical to its ability to ensure that customers of communications providers are minimally affected by the discontinuance,

notified AT&T by phone on December 7, 2021, 15 days after the Application was filed, that its late-filed application was not deemed granted.⁵

For further information, contact Kimberly Jackson, (202) 418-7393 (voice), Kimberly.Jackson@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. For further information on procedures regarding section 214 applications, please visit <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

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reduction, or impairment of service due to conditions beyond a provider's control. *See In the Matter of Section 63.63 Application of CenturyTel of Michigan, Inc. d/b/a CenturyLink*, Order, WC Docket No. 20-278, WL 6955422 at para. 9 (2020). The Commission takes seriously the timeframes associated with its emergency discontinuance procedures and expects full compliance absent extraordinary circumstances. *Id.* Carriers may face enforcement action if emergency discontinuance filings are not made on a timely and complete basis. *Id.* We expect AT&T to provide updates to affected customers and the Commission about this discontinuance of service as soon as possible.

⁵ Bureau staff also informed AT&T by phone on December 7, 2021 that its waiver request would not be granted. AT&T offered no explanation as to why its emergency discontinuance application was filed 31 days late and failed to show that good cause exists to waive the Commission's section 63.63 filing deadline. *See* 47 CFR § 1.3 (stating that "[a]ny provision of the rules may be waived by the Commission on its own motion or on petition if good cause therefor is shown.").